

REMARKS

The applicants note with appreciation the acknowledgement of the claim for priority under section 119 and the notice that all of the certified copies of the priority documents have been received.

The applicants acknowledge and appreciate receiving a copy of form PTO-1449, on which the examiner has initialed all four listed items.

Claims 1 and 3-7 are pending. Claims 2 and 8 have been canceled. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

Claims 1-7 were rejected under 35 USC 102(e) as being anticipated by the patent to Tanase et al. The applicants respectfully request that this rejection be withdrawn for the following reasons.

Claim 1 has been amended to recite a communication passage located below the protection portions along the lower edge of the airbag. Claim 1 recites that the communication passage communicates with the vertical passages such that the inflation gas enters the vertical passages and then the communication passage before entering the protection portions. Since the inflated communication passage is arranged along the lower edge of the airbag, the inflated communication passage is like a rigid rod located along the entire lower edge of the airbag. Therefore, occupants are restrained by the inflated communication passage when the airbag is deployed. The patent to Tanase et al. fails to disclose or suggest a communication passage as claimed. Therefore, the rejection of claim 1 should be withdrawn.

Claim 4 has been changed to an independent claim. Claim 4 recites, among other things, that each of the protection portions comprises a plurality of transverse inflatable portions juxtaposed in the vertical direction and that each of the transverse inflatable portions is located along the front-rear direction of the vehicle and is communicated with the vertical passages. Further, claim 4 recites that the inflatable shielding portion comprises vertical inflatable portions vertically disposed next to the vertical passages in the front and rear of the vertical passages. The patent to Tanase et al. fails to disclose or suggest these features.

In the patent to Tanase et al., only one transverse inflation portion is arranged below the thickness defining members (26, 27, 28). Each thickness defining member (26, 27, 28) is arranged vertically. In other words, in the device of Tanase, the protection portion has a plurality of vertical inflatable portions partitioned by the thickness defining members (26, 27, 28), and only one transverse inflation portion arranged below the protection portion. Therefore, the patent to Tanase et al. fails to satisfy the limitations of claim 4.

In addition, claim 4 recites that the protection portions are partitioned from the gas feed passage by the non-admissive portion. In the patent to Tanase et al., this feature is not disclosed.

Claim 5 has been changed to an independent claim. Claim 5 recites, among other things, that the protection portion comprises a plurality of non-admissive portions disposed spottedly, thereby forming trifurcated inflation tops in the middle of the non-admissive portions. Claim 5 further recites that the inflatable shielding portion includes vertical inflatable portions vertically disposed next to the vertical passages in the front and rear of the vertical passages. The patent to Tanase et al. fails to disclose or suggest these features.

In the patent to Tanase et al., although the non-admissive portions (26, 27, 28) are arranged in the area of the protection portion (21), the non-admissive portions (26, 27, 28) are not arranged to form trifurcated inflation tops between the non-admissive portions (26, 27, 28).

In addition, claim 5 recites that the protection portions are partitioned from the gas feed passage by the non-admissive portion. In the patent to Tanase et al., this feature is not disclosed. Therefore, the applicants respectfully request the withdrawal of this rejection.

Claim 6 has been amended to include the features of canceled claim 8. Claim 6 thus now recites, among other things, that the inflator is located in the upper edge of the windows and that the airbag comprises a joint port disposed in the upper edge of the windows so as to be connected to the inflator.

Claim 6 further recites a roof-ward shielding portion for covering the vehicle's inner side of a body-ward member in a roof side rail located above the windows. This feature is not disclosed by the patent to Tanase et al. In the patent to Tanase et al., a portion designated with number 22 is not a roof-ward shielding portion but is a gas feed passage. Therefore, the airbag of the Tanase device cannot achieve the advantages of the device of claim 6.

Claim 6 further recites that the roof-ward shielding portion comprises a cover portion for covering the vehicle's inner side of the inflator upon deployment of the airbag. This feature is not disclosed by the patent to Tanase et al. Therefore, the rejection of claim 6 should be withdrawn.

Claim 8 was rejected under 35 USC 103(a) as being unpatentable over Tanase et al. in view of Saita et al. Claim 8 has been canceled and will not be discussed.

In general, the airbag of the patent to Tanase et al. lacks the advantageous effects of the airbag device of the present invention. That is, unlike the device of the present invention, the

Serial No. 10/656,871


energy absorbing property of the protection portion in the patent to Tanase et al. would vary significantly if the heads of the occupants shift in the front-rear direction. Therefore, the applicants respectfully request the withdrawal of the rejections.

Claim 3 depends on claim 1 and is considered to be patentable for the reasons given above with respect to claim 1. Claim 7 depends on claim 6 and is considered to be patentable for the reasons given above with respect to claim 6.

In view of the forgoing, the applicants respectfully submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,



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